

REMARKS

This is intended as a full and complete response to the Office Action dated March 22, 2005, having a shortened statutory period for response set to expire on June 22, 2005. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, paragraphs [0001], [0004], [0043], [0044], [0053], [0062], and [0064] have been amended. No new matter has been added by these amendments.

In the drawings, Figures 3(1), 3(2), 3A-3C, 4, 7, and 8 have been amended. No new matter has been added by these amendments. Six replacement sheets are included with this response. No new matter has been added by these amendments.

Claims 15-43 remain pending in the application after entry of this response. Claims 1-28 are rejected and claims 15-28 are indicated to be allowable by the Examiner if rewritten to overcome the 35 U.S.C. 112 rejection. Claims 1-14 have been canceled without prejudice. Claims 15-19 have been amended and new claims 29-43 have been added. No new matter has been added by either the amendments or new claims. Reconsideration of the rejected claims is requested for reasons presented below.

Claim Rejections - 35 U.S.C. § 112

Claims 7-13 and 15-28 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 7-13 have been canceled. Claims 15-28 have been amended to overcome the rejections. Withdrawal of the rejections is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Justice* (U.S. Pat. No. 2,621,960). Claims 1-4 have been canceled. Withdrawal of the rejections is respectfully requested.

Regarding new claims 29-43, *Justice* does not teach, suggest, or show “a piston disengaging the gripping member from the item when actuated by fluid pressure” as recited in claim 29 or “actuating the piston to disengage the gripping member from the item” as recited in claim 42. *Justice* discloses a pressure ring 22 (with flange 23) urging slips 10 into engagement with pipe 26 upon increased circulation of liquid (col. 3, lines 30-44). *Justice* discloses releasing slips 10 by stopping fluid pressure so that spring 21 will release the slips from the pipe (col. 3, lines 54-63). Therefore, claims 29 and 42 are patentable over *Justice*. Claims 30-41 and 43 are also patentable over *Justice* since they depend from claims 29 and 42, respectively.

Claims 1, 2, 4 and 7-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Triplett* (U.S. Pat. No. 1,795,322). Claims 1, 2, 4 and 7-13 have been canceled. Withdrawal of the rejections is respectfully requested.

Regarding new claims 29-43, *Triplett* does not teach, suggest, or show “a piston disengaging the gripping member from the item when actuated by fluid pressure” as recited in claim 29 or “actuating the piston to disengage the gripping member from the item” as recited in claim 42. In all candor, it is not entirely clear to Applicants how *Triplett*’s tool operates. Applicants surmise that *Triplett* admits fluid pressure upon the upper surface of plate 33 to force the slips 12 into a gripping position with fish 11 (page 2, lines 25-78). To disengage the slips 12, *Triplett* sets his tool down on the fish 11 to put the tool in compression. The slips 12 would then be pushed upward by the fish 11. Since the plate is abutting the collar 13, an upward force would be transferred to the plate 33 and then to the mandrel 14, thereby releasing the setting dog 43 and activating the spring 27 (page 2, lines 79-124). Therefore, claims 29 and 42 are patentable over *Triplett*. Claims 30-41 and 43 are also patentable over *Triplett* since they depend from claims 29 and 42, respectively.

Claim Rejections - 35 U.S.C. § 103

Claims 5, 6, and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Justice* in view of *Taylor* (U.S. Pat. No. 5,765,638). Claims 5, 6, and 14 have been canceled. Withdrawal of the rejections is respectfully requested.

Regarding new claims 29-43, as discussed above, *Justice* does not teach, suggest, or disclose, either an overshot tool that is released by fluid pressure as recited in claim 29 or releasing a gripping member by activating a piston with fluid pressure as recited in claim 42. *Taylor* does not teach, suggest, or disclose, either an overshot tool that is released by fluid pressure as recited in claim 29 or releasing a gripping member by activating a piston with fluid pressure as recited in claim 42. Therefore, claims 29 and 42 are patentable over *Justice* in view of *Taylor*. Claims 30-41 and 43 are also patentable over *Justice* in view of *Taylor* since they depend from claims 29 and 42, respectively.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "134" and "138". The specification has been amended to overcome this objection. Withdrawal of the objection is respectfully requested.

Conclusion

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

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IN THE DRAWINGS:

Figures 3(1) and 3(2) have been amended to extend the slip members 160' radially inward to show the correct run-in position of the overshot tool 100. The piston 170 and spring 180 have also been correspondingly moved. The sectional views Figures 3A-3C have been correspondingly amended. Figures 4 and 8 have been amended to partially extend the slip members 160' radially inward to show the correct partially engaged position of the overshot tool 100. The piston 170 and spring 180 have also been correspondingly moved. Figure 7 has been amended to extend the slip members 160' radially inward to show the correct run-out position of the overshot tool 100. The piston 170 and spring 180 have also been correspondingly moved.

Six replacement sheets are included with this response.